

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

GEORGE R. STRAHAN,)
Plaintiff,)
v.) No. 4:13CV448 FRB
ST. LOUIS COUNTY JUSTICE)
CENTER, et al.,)
Defendants.)

MEMORANDUM AND ORDER

This matter is before the Court on plaintiff's second amended complaint. The Court is required to review the complaint under 28 U.S.C. § 1915A and to dismiss it if it is frivolous, malicious, or fails to state a claim upon which relief can be granted.

Plaintiff, a prisoner at St. Louis County Justice Center (“SLCJC”), brings this action under 42 U.S.C. § 1983 for alleged deliberate indifference to his serious medical needs. Plaintiff names SLCJC and Dr. Fred Rottnek as defendants. Plaintiff alleges that he has several orthopedic problems, such as compression fractures of multiple vertebrae and spinal disc problems, for which he was taking Vicodin and Xanax before he was introduced to SLCJC. Plaintiff also says he has lung cancer. Plaintiff claims he spoke with Rottnek about his pain and asked for his regular medications. Plaintiff says Rottnek only provided him with less potent medications

that did not help his pain. And plaintiff alleges that his pain was so severe that he had a seizure as a result.

Having reviewed the amended complaint, the Court finds that plaintiff's claims against Rottnek state a plausible claim of deliberate indifference under § 1983. As a result, the Court will direct the Clerk to serve process on Rottnek.

Plaintiff's claim against SLCJC is legally frivolous because it is not a suable entity. Ketchum v. City of West Memphis, Ark., 974 F.2d 81, 81 (8th Cir. 1992) (departments or subdivisions of local government are "not juridical entities suable as such."). Therefore, the Court will dismiss plaintiff's claims against SLCJC.

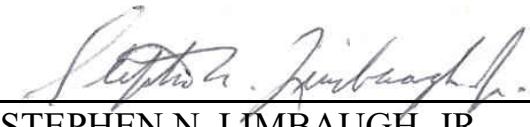
Accordingly,

IT IS HEREBY ORDERED that the Clerk shall issue process or cause process to issue as to defendant Fred Rottnek, who is alleged to be a doctor at the St. Louis County Justice Center.

IT IS FURTHER ORDERED that plaintiff's claims against St. Louis County Justice Center are **DISMISSED** without prejudice.

An Order of Partial Dismissal will be filed with this Memorandum and Order.

Dated this 12th day of June, 2013.



STEPHEN N. LIMBAUGH, JR.
UNITED STATES DISTRICT JUDGE